

Applicant or Patentee: Simple, et al.

Attorney's Docket No. INEX.P-007

Serial or Patent No.: 09/654373

Filed or Issued: September 1, 2000

For: Small Multilamellar Oligodeoxynucleotide-Containing Lipid Vesicles and Method of Making Same

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to  
act on behalf of the concern identified below:

NAME OF CONCERN Inex Pharmaceuticals Corp

ADDRESS OF CONCERN 100-8900 Glenlyon Parkway, Burnaby, BC V5J 5J8, Canada

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above-captioned invention which is described in

- ☐ the specification filed herewith  
☐ Application Serial No. 09/654373, filed September 1, 2000  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

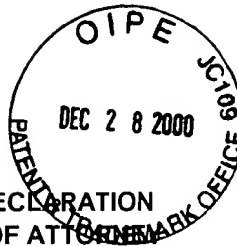
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING PIETER N. CHALLS TITLE SENIOR VICE PRESIDENT

ADDRESS OF PERSON SIGNING 3272 WEST 1ST AVENUE,

SIGNATURE [Signature]

DATE OCTOBER 18, 2000



OPPEDAHL &amp; LARSON

FILE NO. INEX. P - 007  
INVENTOR SEMPLE, et al.**COMBINED DECLARATION  
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My citizenship, residence and post office address are as listed below next to my name.

I believe I am the original, first and ☐ sole/☒ joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: Small Multilamellar Oligodeoxynucleotide-Containing Lipid Vesicles and Method of Making Same.

the specification of which

(a) ☐ is attached hereto.

(b) ☐ was filed on 09/01/2000 as Application Serial No. 09/654,373 and was amended on \_\_\_\_\_.

(c) ☐ was described and claimed in International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and amended on \_\_\_\_\_.

**Acknowledgment of Duty of Disclosure**

I hereby state that I have reviewed and understood the content of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

**35 U.S.C. § 120**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)(patented,pending,abandoned)	(Patent No. if applicable)
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Serial No.)	(Filing Date)	(Status)(patented,pending,abandoned)	(Patent No. if applicable)
			(Application

**Power of Attorney**

I hereby appoint Carl Oppedahl, PTO Reg. NO. 32,746, Marina T. Larson, PTO Reg. No. 32,038, and Nancy J. Parsons, PTO Reg. No. 40,364 of the firm of OPPEDAHL & LARSON LLP, having office at P.O. Box 5068, Alpine Bank Center, 2<sup>nd</sup> Floor, 256 Dillon Ridge Rd., Dillon, CO 80435 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

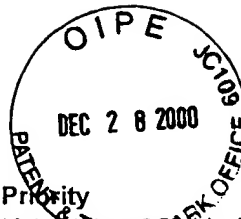
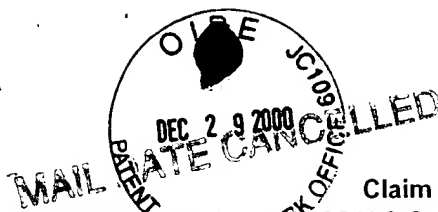
SEND CORRESPONDENCE TO:

**021121**

PATENT TRADEMARK OFFICE

DIRECT TELEPHONE CALLS TO:

OPPEDAHL & LARSON LLP  
(970) 468-6600

FILE NO. INEX. P - 007  
INVENTOR SEMPLE, et al.

## Claim for Priority

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign applications for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), FILED WITHIN TWELVE MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION					
COUNTRY	APPLICATION NO.	DATE OF FILING (day/month/year)	DATE OF ISSUE (day/month/year)	PRIORITY CLAIMED	CERTIFIED COPY ATTACHED
				YES [ ] NO [ ]	YES [ ] NO [ ]
FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION					
COUNTRY	APPLICATION NO.	DATE OF FILING (day/month/year)	DATE OF ISSUE (day/month/year)		

## Provisional Application

I hereby claim the benefit under 35 U.S.C § 119(e) of any United States provisional application(s) listed below.

60/152,17909/02/99

(application number)

(filing date)

(application number)

(filing date)

(application number)

(filing date)

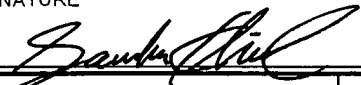
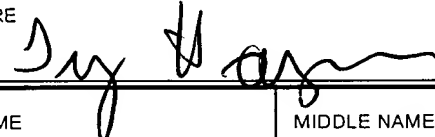


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR	LAST NAME SEMPLE	FIRST NAME SEAN	MIDDLE NAME C.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 301-2880 Oak St.		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6H 2K5 Canada
DATE <u>Oct. 17, 2000</u>		SIGNATURE 	

[X] Signature for additional joint inventor attached. Number of Pages 3.

[ ] Signature by Administrator(trix) or legal representative for deceased or incapacitated inventor. Number of Pages    .

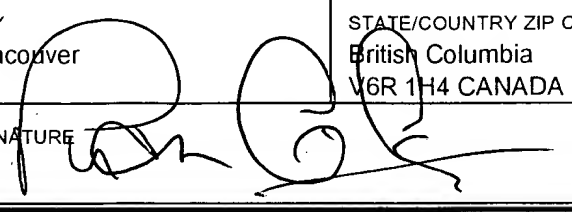

[ ] Signature for inventor who refuses to sign or cannot be reached by person

NAME OF SECOND INVENTOR	LAST NAME KLIMUK	FIRST NAME SANDRA	MIDDLE NAME K.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE NORTH VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3330 Chesterfield Avenue		CITY North Vancouver	STATE/COUNTRY ZIP CODE British Columbia V7N 3N1 CANADA
DATE OCTOBER 20, 2000		SIGNATURE 	
NAME OF THIRD INVENTOR	LAST NAME HARASYM	FIRST NAME TROY	MIDDLE NAME O.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 128 E. 20 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6V 1L9 CANADA
DATE OCTOBER 18, 2000		SIGNATURE 	
NAME OF FOURTH INVENTOR	LAST NAME DOS SANTOS	FIRST NAME NANCY	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE RICHMOND	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 406-8180 Jones Road		CITY Richmond	STATE/COUNTRY ZIP CODE British Columbia V6Y 3Z6 CANADA
DATE OCTOBER 30, 2000		SIGNATURE 	
NAME OF FIFTH INVENTOR	LAST NAME ANSELL	FIRST NAME STEVEN	MIDDLE NAME M.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 201 - 2010 W. 8 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6J 1W5 CANADA
DATE OCTOBER 20, 2000		SIGNATURE 	

FILE NO. INEX. P - 007  
INVENTOR SEMPLE, et al.

DATE CANCELLED  
DEC 29 2000  
PATENT & TRADEMARK OFFICE

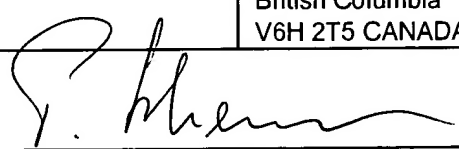
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PATENT & TRADEMARK OFFICE

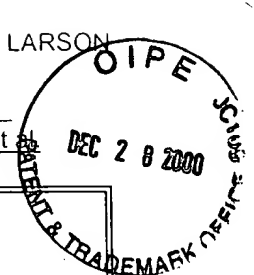
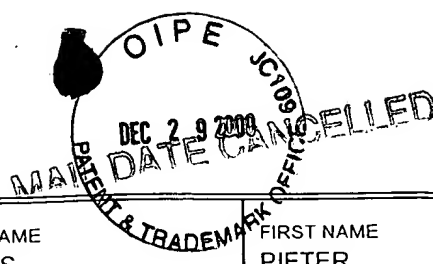
NAME OF SECOND INVENTOR	LAST NAME CULLIS	FIRST NAME PIETER	MIDDLE NAME R
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3732 W. 1 <sup>st</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 1H4 CANADA
DATE OCTOBER 29, 2000		SIGNATURE 	
NAME OF THIRD INVENTOR	LAST NAME HOPE	FIRST NAME MICHAEL	MIDDLE NAME J.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3550 W. 11 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2K2 CANADA
DATE OCTOBER 24, 2000		SIGNATURE 	
NAME OF FOURTH INVENTOR	LAST NAME SCHERRER	FIRST NAME PETER	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 301 - 2664 Birch Street		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6H 2T5 CANADA
DATE		SIGNATURE	
NAME OF FIFTH INVENTOR	LAST NAME McINTOSH	FIRST NAME DEIRDRE	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3666 W. 14 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2W5 CANADA
DATE		SIGNATURE	

FILE NO. INEX. P - 007  
 INVENTOR SEMPLE, et al.

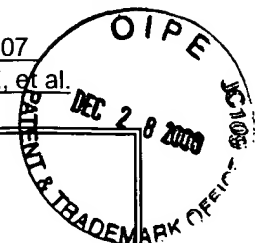
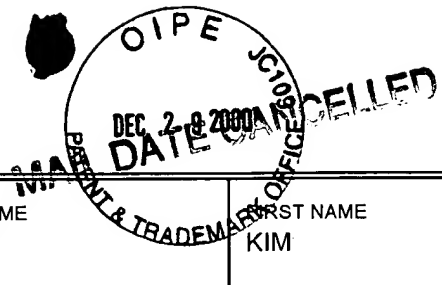
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 DEC 28 2000  
 PATENT & TRADEMARK OFFICE

 DEC 28 2000  
 PATENT & TRADEMARK OFFICE

NAME OF SECOND INVENTOR	LAST NAME CULLIS	FIRST NAME PIETER	MIDDLE NAME R
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3732 W. 1 <sup>st</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 1H4 CANADA
DATE		SIGNATURE	
NAME OF THIRD INVENTOR	LAST NAME HOPE	FIRST NAME MICHAEL	MIDDLE NAME J.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3550 W. 11 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2K2 CANADA
DATE		SIGNATURE	
NAME OF FOURTH INVENTOR	LAST NAME SCHERRER	FIRST NAME PETER	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 301 - 2664 Birch Street		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6H 2T5 CANADA
DATE Oct 24 / 2000		SIGNATURE 	
NAME OF FIFTH INVENTOR	LAST NAME McINTOSH	FIRST NAME DEIRDRE	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3666 W. 14 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2W5 CANADA
DATE		SIGNATURE	



NAME OF SECOND INVENTOR	LAST NAME CULLIS	FIRST NAME PIETER	MIDDLE NAME R
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3732 W. 1 <sup>st</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 1H4 CANADA
DATE OCTOBER 20, 2000		SIGNATURE 	
NAME OF THIRD INVENTOR	LAST NAME HOPE	FIRST NAME MICHAEL	MIDDLE NAME J.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3550 W. 11 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2K2 CANADA
DATE OCTOBER 24, 2000		SIGNATURE 	
NAME OF FOURTH INVENTOR	LAST NAME SCHERRER	FIRST NAME PETER	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 301 - 2664 Birch Street		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6H 2T5 CANADA
DATE		SIGNATURE	
NAME OF FIFTH INVENTOR	LAST NAME McINTOSH	FIRST NAME DEIRDRE	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 3666 W. 14 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2W5 CANADA
DATE November 2nd 2000		SIGNATURE 	



NAME OF SECOND INVENTOR	LAST NAME WONG	FIRST NAME KIM	MIDDLE NAME F.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 4595 W. 13 <sup>th</sup> Avenue		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6R 2V5 CANADA
DATE Oct 24, 2000		SIGNATURE KFWong	
NAME OF THIRD INVENTOR	LAST NAME MAURER	FIRST NAME NORBERT	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE VANCOUVER	STATE OR COUNTRY OF RESIDENCE BRITISH COLUMBIA	COUNTRY OF CITIZENSHIP AUSTRIA
POST OFFICE ADDRESS 2252 Allison Road		CITY Vancouver	STATE/COUNTRY ZIP CODE British Columbia V6T 1T6 CANADA
DATE Oct. 24, 2000		SIGNATURE Norbert Maurer	
NAME OF FOURTH INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE	STATE OR COUNTRY OF RESIDENCE	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS		CITY	STATE/COUNTRY ZIP CODE
DATE		SIGNATURE	
NAME OF FIFTH INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE	STATE OR COUNTRY OF RESIDENCE	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS		CITY	STATE/COUNTRY ZIP CODE
DATE		SIGNATURE	